

REMARKS

Applicants respectfully request reconsideration of the present application in view of this response. Claims 1-38 are currently pending in connection with the present application. Of those, claims 11, 31, and the Specification have been amended and claims 37 and 38 have been added. Claims 1, 2, 11, and 31 are the pending independent claims.

ALLOWABLE SUBJECT MATTER

Applicants acknowledge and thank the Examiner for the indication of the allowance of claims 2 and 16-23.

PRIORITY DOCUMENTS

Applicants acknowledge the Examiner's acknowledgment of Applicants' claim for priority under 35 U.S.C. §119, and the indication of the receipt of all of the necessary priority documents as indicated on the Office Action Summary dated February 9, 2005.

DRAWINGS

Applicants acknowledge and thank the Examiner for the indication of the acceptance of the drawings filed September 5, 2003.

SPECIFICATION OBJECTIONS

The Examiner has objected to the specification due to alleged informalities. More specifically, the Examiner alleges that in paragraph [0054], line 5, both references to "6b" should be replaced by "6a", and in paragraph [0057], line 2, "18" should be replaced by "14".

Applicants have amended the specification taking into account the suggestions and comments made by the Examiner. Further, Applicants respectfully submit that no new matter has been added by way of the amendments to the specification. Accordingly, Applicants respectfully request withdrawal of the above objection.

PRIOR ART REJECTIONS

Claim Rejections under 35 U.S.C. §102(e)

Claims 1, 3-15, and 24-36 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Souchay et al. (U.S. Patent Publication No. 2003/0081731 A1, hereinafter referred to as "Souchay"). Applicants respectfully traverse this rejection.

Souchay Does Not Qualify As Prior Art Under

35 U.S.C. §102(e) or (a)

As noted above, the Examiner has kindly acknowledged Applicants' claim for priority and the receipt of all of the necessary priority documents under 35

U.S.C. §119. Further, as indicated on Applicants' Declaration, filed January 23, 2004 and confirmed by the United States Patent and Trademark Office in the Official Filing Receipt dated February 26, 2004, the present Application claims foreign priority under 35 U.S.C. §119 to German Patent Application No. 10241424.6, filed on September 6, 2002. In an effort to perfect Applicants' claim for priority under 35 U.S.C. § 119, Applicants have filed herewith an English translation of German Patent Application No. 10241424.6, filed on September 6, 2002, from which the present application claims priority.

Under current U.S.P.T.O. Practice and Procedure, upon Applicants perfecting their priority claim and upon the Examiner granting this claim to priority, the date for applying prior art under 35 U.S.C. §102(a) or (e) is the filing date of the foreign priority German application, or in this case September / 6, 2002. As the filing date of the foreign priority German application is prior to both the publication date (May 1, 2003) and the filing date (October 11, 2002) of Souchay, Applicants respectfully submit that Souchay does not qualify as prior art under 35 U.S.C. §102(a) or (e).

Therefore, Applicants respectfully submit that the Examiner's rejection under 35 U.S.C. §102(e) is improper, and respectfully request that the above rejection be withdrawn.

Claim Rejections under 35 U.S.C. §102(b)

Claims 11, 13-15, 31, and 33-35 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Wei et al. (U.S. Patent No. 5,231,655,

hereinafter referred to as "Wei"). Applicants respectfully traverse this rejection, especially in view of claims 11 and 31 as now amended.

On page 2 of the outstanding Office Action, the Examiner submits that Wei allegedly discloses transmission channels and opposite surfaces of a base body coated with a "second material (330)", which is strongly absorbs the radiation type", citing col. 5, line 42 – col. 6, line 53 of Wei. However, Applicants respectfully disagree with the Examiner's conclusion.

Applicants respectfully submit that Wei fails to teach or suggest opposite surfaces which have a coating layer thickness, which is "less than the layer thickness of the second material on the inner surfaces," as now set forth in claim 11, for example. Instead, as shown in Fig. 3B of Wei, the radiation absorbent material layer 330 is applied with an equivalent thickness on each side of the collimator substrate 310. Accordingly, Applicants respectfully submit that Wei fails to teach or suggest a layer thickness on opposite surfaces, which is "less than the layer thickness of the second material on the inner surfaces", as now set forth in claim 11, for example.

With regard to claim 31, Applicants respectfully submit that claim 31 is also allowable for at least reasons somewhat similar to those as discussed above with regard to claim 11.

With regard to claims 13-15 and 33-35, Applicants respectfully submit that claims 13-15 and 33-35 are also allowable for at least the reasons as discussed above with regard to independent claims 11 and 31.

As such, Applicants respectfully request withdrawal of the above rejection.

NEW CLAIMS 37 AND 38

Applicants have added new claims 37 and 38 by the present amendment. With regard to these newly added claims, Applicants respectfully submit that Wei fails to teach or suggest a base body having opposite surfaces which are "not coated with the second material", as set forth in claims 37 and 38. Instead, as shown in Fig. 3B of Wei and discussed above, the radiation absorbent material layer 330 is applied with an equivalent thickness on each side of the collimator substrate 310. Accordingly, Applicants respectfully submit that newly added claims 37 and 38 are also in condition for allowance.

CONCLUSION

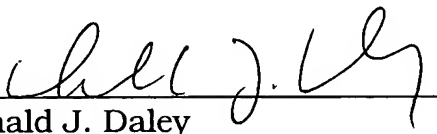
In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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